

Judge Withholds Ruling On Mineral King Resort

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SAN FRANCISCO (AP) — U.S. Dist. Court Judge William Sweigert has under study today a request by the Sierra Club for a restraining order to halt construction of the \$35 million Mineral King resort in Sierra National Forest.

The action Tuesday came after the club's attorney, Leland

Selna Jr., claimed that federal authorization to build a road through the forest would "automatically" result in a permit for the Walt Disney Productions resort.

Asst. U.S. Atty. Paul Locke told Judge Sweigert the resort presented "no imminent danger" to the forest.

The club objects to a permit by Secretary of the Interior Walter J. Hickel for the state of California to build 9.2 miles of highway through the national forest to the resort.

Selna said that under a government agreement Disney Productions would receive its permit to build when the state gets a right of way for the road.

Selna said, "We can find no authority which grants the secretary the right to establish a right of way for a road by a third party."

Altogether \$22 million in state funds and \$3 million federal money has been allocated for the road.

Locke noted that the letting of bids for highway construction would not begin until after the snow melts about May 1, 1970, regardless of when the permit was granted.

Richard E. Deffenbach, district engineer for the State Division of Highways, argued that the resort was consistent with the intended uses of national forests and parks. He said 84 multi-use permits have been granted for projects on federal land, many in California.

Selna claimed that once the permit was granted for the combined 13,400 acre ski and recreation resort it would be too late to save the forest environment.

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